

THE CINCINNATI INSURANCE COMPANY

APPEAL BOND

Case No: 1:00 CU 780
B8862878

KNOW ALL MEN BY THESE PRESENTS, that we, **City of Cincinnati** as Principal, and **THE CINCINNATI INSURANCE COMPANY**, as Surety, are held and firmly bound unto U.S. District Court of Appeal for the Southern District of the State of Ohio, in the penal sum of **Eight Hundred Seventy Three Thousand Seven Hundred Thirty Five and 73/100 Dollars (\$873,735.73)**, lawful money of the United States, to the payment of which well and truly to be made we hereby bind ourselves and our heirs, administrators, successors and assigns, jointly and severally, firmly by these presents.

Whereas, on the 27th day of February, 2004, a judgement was rendered by the U. S. District Court of Appeal for the Southern District of the State of Ohio, in the above entitled and numbered action in favor of the Plaintiff, **Phelecia Barnes**, and against the defendant, **City of Cincinnati** adjudging and decreeing that the Plaintiff do have and recover from said Defendant the sum of **Eight Hundred Seventy Three Thousand Seven Hundred Thirty Five and 73/100 Dollars (\$873,735.73)**, until paid, together with the Plaintiff's costs in this action; and

WHEREAS, said Defendant has appealed, or is about to appeal, to the United States Court of Appeal for the Sixth Circuit from the above mentioned judgement and the whole thereof, and said Defendant desires to suspend execution of said judgement pending such appeal.

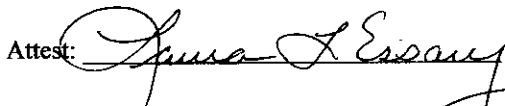
NOW, THEREFORE the condition of this obligation is such that, if the above named Defendant, **City of Cincinnati**, shall prosecute his appeal with effect and shall, if the judgement of the United States Federal Court be against him, perform such judgement or decree of said court, and pay all such damages, interest and costs as may be awarded against him on such appeal, in no case to exceed the penal sum of this bond, then this obligation shall be void, otherwise to remain in full force and effect.

IN WITNESS WHEREOF, the Principal and Surety have hereunto set their hands and seals this
16th day of August, 2004.

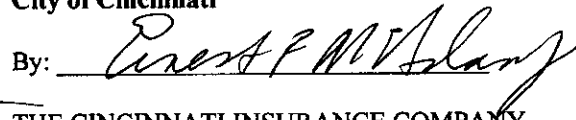
Principal:

City of Cincinnati

Attest:



By:

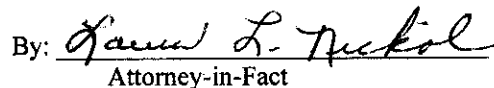


THE CINCINNATI INSURANCE COMPANY

Attest:



By:


Attorney-in-Fact